IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

WP(C).No. 14995 of 2004(I)

PETITIONER:

F. ABDUL HAMEED, KUTTIKATTU KONATHU VEEDU, PALANKONAM P.O., VIA. VENJARAMOODU, THIRUVANANTHAPURAM.

BY ADV. SRI.PIRAPPANCODE V.S.SUDHIR.

RESPONDENTS:
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1. **DIRECTOR OF PANCHAYATS, THIRUVANANTHAPURAM.**
2. **THE SECRETARY, MANICKAL GRAMA PANCHAYAT, PIRAPPANCODE P.O., THIRUVANANTHAPURAM.**
3. **ASSISTANT EXECUTIVE ENGINEER, BUILDINGS SUB DIVISION, ATTINGAL.**

BY GOVERNMENT PLEADER SMT. T.B. RAMANI.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.14995/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE AGREEMENT NO. 6/99-2000 ON 11/02/2000.

EXT.P.2: COPY OF THE SANCTION ORDER DTD. NIL.

EXT.P.3: COPY OF THE DATA PREPARED BY THE ASSISTANT ENGINEER, P.W.D. ROAD SECTION, VENJARAMOODU DTD. NIL.

EXT.P.4: COPY OF THE ESTIMATE PREPARED BY THE ASSISTANT ENGINEER, PWD ROAD SECTION, VENJARAMOODU DTD. NIL.

EXT.P.5: COPY OF THE LETTER NO. V.S. JA/99 DTD. 20/08/2001 OF THE ASSISTANT ENGINEER, ROADS SECTION, VENJARAMOODU.

EXT.P.6: COPY OF THE FINAL BILL FORWARDED TO THE R.3. ALONG WITH EXT. P5 LETTER DTD. NIL.

EXT.P.7: COPY OF THE LETTER NO. C6.8146/2002/N. DIS. DTD. 03/08/2002 OF THE PETITIONER TO THE R.2.

EXT.P.8: COPY OF THE GOVERNMENT CIRCULAR NO. 14259/N2/2000/LSGD DTD. 18/04/2000.

EXT.P.9: COPY OF THE ORDER OF THE HONOURABLE OMBUDSMAN FOR LOCAL SELF GOVERNMENT INSTITUTIONS BY ORDER DTD. 04/06/2002 IN O.P. NO. 1978/2001.

EXT.P.10: COPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN O.P. 15280/2002 DTD. 17/12/2003.

EXT.P.11: COPY OF THE CHEQUE ISSUED TO THE PETITIONER AMOUNTING TO ONLY RS. 68,364/- DTD. 25/03/2004.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.14995 OF 2004

Dated this the 18th day of July, 2007

JUDGMENT

No appearance for the second respondent Panchayat. The specific relief of the petitioner that in spite of Ext.P10 judgment, an amount of Rs.7,370/- was not paid is not disputed. Under such circumstances, this writ petition is disposed of directing that the second respondent will release an amount of Rs.7,370/- with 6% interest per annum from 17.5.2004 till the date of payment. Such amount shall be released within an outer limit of three months from the date of receipt of a copy of this judgment.

The writ petition is allowed.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.